UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

GOODMAN DISTRIBUTION, INC.,)	
Plaintiff,)	
)	
)	
v. MARY A. HAAF, et al.,)	No. 4:10-CV-806 CAS
)	
)	
)	
Defendants.)	

ORDER

This matter is before the Court on review of the file. This matter is set for trial on Monday, August 20, 2012, at 9:00 a.m. Pursuant to the Case Management Order ("CMO") entered in this case on November 9, 2010, the parties were to file with the Court, not less than twenty (20) days prior to the date set for trial, the following documents: a joint stipulation of uncontested facts; a joint brief summary of the case to be used for Voire Dire; a list of all proposed witnesses; a list of all proposed exhibits; a list of all interrogatory answers, depositions and answers to requests for admissions proposed to be offered in evidence; and proposed jury instructions. See Doc. 28. It further states in the CMO that the parties shall deliver to chambers courtesy copies of all pretrial compliance materials.

The deadline to file the above-listed documents has passed and neither side filed pretrial compliance materials. It is written in bold in the CMO that: "Failure to comply with any part of this Order may result in the imposition of sanctions, including but not limited to dismissal of the action, entry of a default judgment, or restrictions on the admissibility of certain evidence. See Local Rule 5.04." Id. Goodman Distribution, Inc., as the plaintiff, will bear the burden of proof in this matter

at trial. Therefore, plaintiff shall be ordered to show cause as to why its claims against defendant Mary A. Haaf should not be dismissed for failing to file the requisite pretrial materials as ordered in the CMO.

Accordingly,

IT IS HEREBY ORDERED that on or before August 7, 2012 at 5:00 p.m., plaintiff Goodman Distribution, Inc. shall show cause, in writing, why its claims against defendant Mary A. Haaf should not be dismissed for failing to file pretrial materials as ordered in the Case Management Order.

CHARLES A. SHAW

UNITED STATES DISTRICT JUDGE

Dated this 6th day of August, 2012.